



A Monthly Publication of BENGlassLaw

This newsletter is for informational purposes only and no legal advice is intended.

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## Mind Your Own Beeswax *(Literally)*

This year, the Virginia General Assembly has funded a Beehive Distribution Program! Up to \$125,000 has been allocated to provide Virginia residents with beehive equipment. Applicants can receive up to three beehives to help combat the decline in global and local bee populations.

Bees are an essential part of our ecosystem, but they are susceptible to modern pesticides and diseases. "Since the introduction of exotic pests and diseases of the honey bee, the number of beehives in the state has decreased by half," said Keith Tignor, State Apiarist (apiarist is a fancy word for beekeeper). "The Beehive Distribution Program will assist beekeepers, both current and those interested in beekeeping, in establishing new hives."

You must be 18 or older to apply, and if you are accepted, you will be officially registered as a beekeeper with the Virginia Department of Agriculture and Consumer Services (VDACS). To learn more, just google VDACS Beehive Distribution Program and you will find the application.

Becoming a beekeeper is an unusual calling, but in 2019, it's an incredibly honorable and important pursuit. It can become a lifelong passion before you know it! If you become a beekeeper, please let us know and send us a photo. We would love to feature you here! ■

Source: <https://www.vdacs.virginia.gov/press-releases-190617-pollinator-week.shtml>

### OUR MISSION

*"We help people make great decisions about their legal issues."*

It may sound simple, but the truth is that not everyone operates like we do. Even when we can't help someone directly, we consider it important to make sure that they are matched up with a potential answer to their question or problem. We never "send people on their way." We are committed to being a positive, useful resource for anyone who has a legal issue.



If you know of someone who might need an attorney or has a legal question, hand them this newsletter. Let them know that there is a law firm that wants to guide them to a great decision. We're just a call or contact form away.

# BENGLASSLAW™ TEACHES LAWYERS AROUND THE COUNTRY

## *How to Handle ERISA Long-Term Disability Cases*



At BenGlassLaw, we help Virginians fight back when they get denial letters from their insurance companies. If you get your insurance through your employer, the policy actually falls under federal law, specifically the Employee Retirement Income Security Act (ERISA).

Very few law firms around the country are comfortable doing ERISA cases, which is why we get so many calls about it. We decided it's time to teach some other eager law firms about our process. Sure enough, the seminar sold out as law firms paid \$8,000/firm to attend this one-and-a-half day workshop.

ERISA is tricky because insurance companies have discovered that they can deny claims and pay less money in legal fees than they would if they approved the claim. Even judges agree that it's nearly impossible to defend yourself without legal representation. A North Carolina federal judge said:

*"For ERISA claimants not able or aware enough to hire legal counsel before the administrative process is complete, they likely enter into judicial review facing a **loaded deck**—a deck loaded with the expert opinions of those hired by the plan administrator and, with the possible exception of a treating physician or two, lacking the opinions of vocational or medical experts hired by the claimant."*

Judge Richard D. Cudahy of the

7th Circuit put it this way: *"Sometimes it feels as if the only thing that purchasing insurance actually ensures is that one will eventually have an unpleasant dispute with the insurer over payment on a claim."*

We're happy to train other firms in this important area of the law. The good news for you is that if you have received a denial letter from your employer's insurance company, you have a national expert right next door at BenGlassLaw! ■



*The sold-out seminar was filled with attorneys grateful to receive expert training from Ben Glass and Disability Appeals Specialist Ellen Bresnahan.*

## BGL's Best Bites:



### SIMPLE SUMMER PASTA WITH SHRIMP

Colin likes to serve the veggies and shrimp cold over warm pasta.

#### Ingredients:

- 4-5 garden-fresh tomatoes, diced (works with almost any tomato; for cherry tomatoes, use 4 pints, halved)
- ½ cup black olives
- ¼ cup capers
- 1 cup fresh, torn basil (about 1 bunch)
- ½ cup olive oil (give or take)
- 2 TBS minced garlic (about 6 cloves)
- ½ tsp crushed red pepper flakes
- ½ tsp black pepper
- ½ tsp salt
- 1 ½ cups freshly grated Parmesan cheese
- Chilled shrimp tray from the store, pre-peeled and deveined
- 1 pound long noodle pasta (angel hair, spaghetti, linguini, or fettuccine)



#### Directions:

- 1 Pick the ends off the shrimp
- 2 Combine the tomatoes, olives, capers, basil, olive oil, shrimp, garlic, red pepper flakes, salt and pepper (to taste) in a large bowl. Cover bowl with plastic wrap and set aside.
- 3 Cook 1 lb of pasta
- 4 Pour the pasta into the bowl and stir
- 5 Finish with shredded Parmesan cheese and serve!

*Note:* Salad can be served hot or cold. ■

—continued from page 4

The LiveLifeBig Podcast is Growing

#### Sam Gedge – tried a case in front of the United States Supreme Court

It's an incredible honor to argue a case in front of justices like Thomas and Ginsburg. Sam's case dealt with a lesser-known issue, but one that affects us all: Civil Asset Forfeiture. Civil asset forfeiture is when the police seize private property as part of a crime or an investigation.

The case Sam argued was *Timbs v. Indiana*. Tyson Timbs was arrested for selling \$225 worth of drugs in Indiana, which he pled guilty to. Timbs was sentenced to a year of house arrest, five years of probation, and \$1,200 in fines, which he paid.

The state, however, also confiscated his \$41,000 Land Rover since it was used to transport the drugs. Is this an excessive fine under the 8th Amendment of the Constitution? Does the Excessive Fines clause apply to the states? Was taking Timbs' Land Rover a proportional response to the crime? James Abrenio and Sam are longtime friends and it made for a great podcast.

#### Maz Movahed and Adam Waddell – revolutionizing fitness in the Washington metropolitan area



Brian welcomed Maz and Adam into the studio

for a rapid-fire discussion of today's fitness industry. Maz and Adam are co-founders of Halo Fitness Experience, which is shattering the model of how most gyms motivate their members. They've made high-level fitness coaching accessible and affordable for the everyday person.

We'd love to hear your feedback on the podcast! We can see the local impact it's making, and we're always looking for fun and interesting guests. More info is available at [www.LiveLifeBig.org](http://www.LiveLifeBig.org) ■

### Reminder About Our Firm's Communication Policy

Our promise to you is that while we are working on your case, we don't take inbound phone calls, faxes or emails. Ben Glass takes no inbound unscheduled phone calls whatsoever. It makes him much more productive and helps get your case resolved faster. You can always call the office at 703-544-7876, and schedule an in-person or phone appointment, usually within 24-48 hours. This is a lot better than the endless game of "phone tag" played by most businesses today. Remember, too, that email is "quick," but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email—call the office instead.

This publication is intended to educate the general public about personal injury, medical malpractice, and small business issues. It is not intended to be legal advice. Every case is different. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

3998 Fair Ridge Drive Suite 250  
Fairfax, VA 22033  
tel 703.991.2870 fax 703.783.0686  
www.BenGlassLaw.com

To be removed from our mailing list, email  
info@benglasslaw.com or call 800.224.1482



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## THE LIVELIFEBIG PODCAST is Growing!



The traditional news "sound bites" and media is dying, so is talk radio. Long-form podcasts is where smart people go to be exposed to new ideas and to have open, respectful debates and discussions about the issues of the day.

The three partners at the firm – Ben Glass, James Abrenio, and Brian Glass – are having an absolute blast hosting the LiveLifeBig Podcast. Our goal is to put a spotlight on people in the community who live with purpose, exude positivity, and impact the lives of those around them.

The podcast is live on the BenGlassLaw YouTube channel and the audio is available on major platforms like Apple Podcasts and Spotify. Just search for LiveLifeBig. Here are some of the guests we've had so far:

### **Dixon Hemphill – 94-year-old Track and Field World Record Holder**

Dixon is a Masters Runner and competes in track events all over the country. ESPN and CBS both ran specials on Dixon and his rival, 101-year-old Orville Rogers. Ben and Dixon talk about entrepreneurship, fitness, and much-needed advice for the next generation of athletes and business owners.



# WHAT WOULD BEN SAY

**Minimum Wage:** (Yes, that again.) You are going to hear a lot about this as we are heading into another election cycle. The Congressional Budget Office has forecast that raising the minimum wage to \$15 an hour will raise 1.3 million people out of poverty while leading to 1.3 million jobs lost. Not exactly win-win. Meanwhile, according to CNBC.com, only 40% of teens aged 16 to 19 held a summer job last summer, down from nearly 60% in 2000. Are they connected? I guarantee you the answer is yes. When the government dictates the terms of employment, it's always the least skilled that get screwed. Ask any business owner (eliminating 99% of nationally elected officials) about this. (And if you are a business owner and you are OK with the government dictating wages, we'd love to have you as a guest on our Podcast.)

**Businesses with No Clue:** Did you see that Macy's pulled from its shelves novelty plates (like you eat off) that were designed to help the eater regulate food portion size. The plates had three concentric rings labeled "skinny jeans" (obviously the smallest circle), "favorite jeans" and "mom jeans." You'd think that Macy's, a big, long-lived brand name, would have some degree of courage, but, no.....when some Twitter user posted a picture and complained that the plates "fat-shamed" some people, Macy's raced in to pull the dishes from the shelves. What have we come to in America? The government forces some restaurants to post calorie counts (and I will actually choose food based on calorie count displayed ☺), but when some idiot has their feelings hurt, a big corporation caves in. (Maybe they want to be like Nike who pulled their Betsy Ross flag shoes off the shelf on the 4th of July!!!) I guess I better warn my CrossFit owner buddies that they're shaming couch potatoes and they just have to stop. Folks, whether it's just you or you run a business, learn to think for yourselves. We "guard" our kids against peer pressure and then we turn and bow

before the peer pressure of society. Run your own life as you see fit. (Good news ending: Online sales for the plates tripled; small company that no one has ever heard of is now famous!)

**Why Give Grades at All?** The Anne Arundel (Maryland) school board will be eliminating the class rank system. Reason: "Some students say class rank is detrimental to their mental health." Look, high class rank bears almost no relationship to your future success. (Google it.) Whether it produces "pressure" on an individual depends almost entirely on the conversations that go on at your breakfast and dinner table. Trust me on this.

**How the Government Taxes the Poor:** I was thunderstruck by this statistic out of Richmond, via *The Washington Post*: While we don't yet have casinos (they are coming) in Virginia, we do have a form of gambling where people bet on the results of past horse races (I kid you not. You watch a video and bet on the winners.) The first one launched in April at the New Kent (near Richmond) horse race track (again, no horses, just videos) and in its first full month took in \$58 million. Just think about that for a moment. First, it's not rich people dropping \$58 million; it's guys and gals living either paycheck to paycheck or on fixed retirement incomes. But just imagine for a moment if that money was, rather than thrown into a machine that's going to give a momentary hit of dopamine, invested by that person into their own lives. A book, seminar or class could change a person's life forever. (Note: I'm not against gambling. Each person should be free to do whatever they want with their own lives, but don't come knocking at my door asking me to pay for your health care when you run out of money. No reason for the government to be involved, either.) ■



## Small Biz Offer for Northern Virginia

I am an expert at marketing. Before you sign a contract for any type of marketing, talk to us. We will help you make a great decision with your business and it will be free. (Well, almost free. Usually folks who take us up on this offer bring a sandwich or salad for me to eat while we chat!) Just reach out to schedule some time with Ben.

# Life Principles Worth Living By

A principle is a rule that just doesn't bend. Living by unbending rules makes decision making easier.

Here are some principles followed by highly successful people that I hang out with:

- 1 Don't blame others.
- 2 Choose what you read and listen to carefully. What you put into your mind matters.
- 3 It's your life. Get yourself "right" first.
- 4 The world owes you nothing.
- 5 Say what you mean, mean what you say.
- 6 Your past has a claim on where you are today, but it has no claim on what your future will be. ■

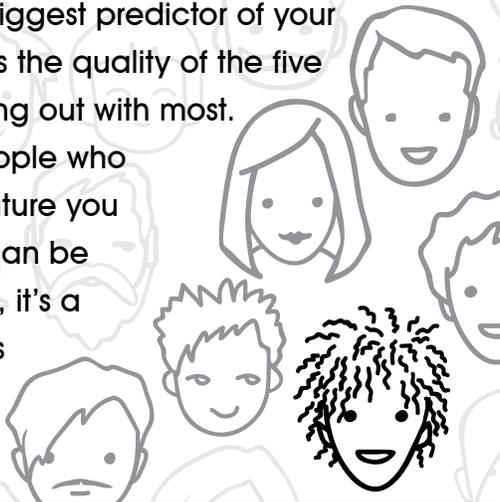


## A Message for Students Going Back to College

There is one activity that you have total control over that will have a very high impact on your future. No, it's not "study more," though that's important.

Choose the people you are going to hang out with. The biggest predictor of your future success is the quality of the five people you hang out with most.

Choose the people who represent the future you want. Yes, this can be hard, but, heck, it's a new year! This is 100% in your control.



## Care about Criminal Justice Reform in Virginia?



BenGlassLaw Partner James Abrenio is a founding member of Justice Forward Virginia, which pushes for much-needed criminal justice reform in our state.

On Wednesday, August 21, 2019, JFV is hosting a summer social from 6:00 PM – 8:00 PM at Dog Money Restaurant and Brewery in Leesburg, Virginia.

Come out to Justice Forward Virginia's 2019 Summer Social and hear from Special Guest Buta Biberaj, Commonwealth's Attorney Candidate in Loudoun. In addition to hearing Buta's justice reform goals for Loudoun County, we will be discussing JFV's upcoming lobbying plans and how you can help!

RSVP at the Justice Forward Virginia Facebook page or by emailing James: [jabrenio@benglasslaw.com](mailto:jabrenio@benglasslaw.com)

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